



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

MAR 18 2013

Mr. Michael Grove
Assistant Superintendent for the Meriden Public Schools
22 Liberty Street
Meriden, Connecticut 06450

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c)
and § 761.79(h)
Orville H. Platt High School
Meriden, Connecticut

Dear Mr. Grove:

This is in response to the Meriden Public School (MPS) Notification¹ for approval to clean up and dispose of PCB-contaminated building materials located in the building known as the Orville H. Platt High School (the Site) located at 220 Coe Avenue, Meriden, Connecticut. The Site contains PCB-contaminated materials that exceed the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a), § 761.61 and § 761.62.

In its Notification, MPS has proposed the following PCB cleanup and disposal plan:

- Remove *PCB bulk product waste* (i.e., exterior/interior window caulk (1956 and 1968 sections), slate window sill caulk and sill (1968 section), and 1968 gym floor, including the shellac, mastic, and vapor barrier, and dispose of the PCB waste in a TSCA-approved or RCRA hazardous waste landfill;
- Remove window assemblies in contact with the PCB caulk, including transite panels and insulation, and dispose of as *PCB remediation waste* greater than or equal to (\geq) 50 parts per million (ppm) in accordance with § 761.61 (a)(5)(i)(B)(2)(iii);

¹ The Notification was prepared by Fuss & O'Neill on behalf of Meriden Public Schools to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was submitted dated October 2, 2012 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)); February 19, 2013 (Revised SIDP and Response to Comments); March 4, 2013 (2nd Revised SIDP and Response to Comments); March 5, 2013 (3rd Revised SIDP and Response to Comments); March 6, 2013 (email response to questions); March 13, 2013 (email response to questions); and March 14, 2013 (email clarification of verification sampling). These submittals shall be referred to as the "Notification".

- Remove caulk and black tar with less than ($<$) 50 ppm PCBs, and adjacent *porous surface* (i.e., 16 inches concrete block) from the interior expansion joint in the corridor of the 1956/1968 sections of the building and dispose of as $<$ 50 ppm *PCB remediation waste* in accordance with § 761.61(a)(5)(i)(B)(2)(ii);
- Remove caulk with $<$ 50 ppm PCBs from the exhaust vents and dispose of as $<$ 50 ppm *PCB remediation waste* in accordance with § 761.61(a)(5)(i)(B)(2)(ii);
- Decontaminate steel lintels and the exhaust vents that will remain to a standard of $\leq 1 \mu\text{g}/100 \text{ cm}^2$; and,
- Conduct verification sampling to confirm that the PCB cleanup standards have been met.

MPS has determined that certain PCB-contaminated building products, which have a PCB concentration at $<$ 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or decontamination of surfaces that are in contact with the $<$ 50 ppm PCB-contaminated building products. While these building products are not addressed in the Approval, the MPS is in discussion with Connecticut Department of Energy and Environmental Protection (CTDEEP) concerning its requirements for management of these materials.

With the exception of the proposed verification sampling frequency for decontaminated *porous surfaces* (i.e., interior corridor expansion joints and window openings), the Notification meets the requirements and standards established under §§ 761.61(a), 761.62, and 761.79(h) for cleanup and disposal of *PCB remediation waste* and *PCB bulk product waste*.

With respect to the verification sampling frequency, based on the results of the PCB sampling to-date and the proposed cleanup and disposal approach, EPA has determined that the sampling plan and verification sampling frequency are adequate to confirm that PCB cleanup standard has been met. EPA finds that the activities proposed by MPS will not create an unreasonable risk to public health or the environment when conducted in accordance with the Notification and this Approval. EPA may approve the sampling under § 761.61(c).

MPS may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

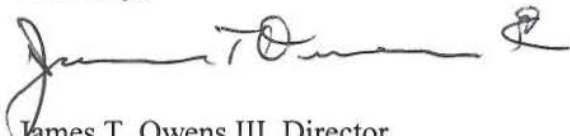
This Approval does not release MPS from any applicable requirements of federal, state or local law, including the requirements related to cleanup and disposal of PCBs or other contaminants under the CTDEEP regulations.

Correspondence and questions regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Owens III", followed by a stylized flourish.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc: Carlos Texidor, Fuss & O'Neill
Meriden Board of Health
Brian Toal, CTDPH
Gary Trombly, CTDEEP
File

Attachment 1- Approval Conditions

ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
ORVILLE H. PLATT HIGH SCHOOL ("the Site")
220 COE AVENUE, MERIDEN, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The Meriden Public Schools (MPS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. MPS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, MPS shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. MPS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time MPS has or receives information indicating that MPS or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by MPS are authorized to conduct the activities set forth in the Notification. MPS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release MPS from compliance with any applicable requirements of federal, state or local law; or 3) release MPS from liability for, or otherwise resolve any violations of federal, state or local law.

9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from MPS of its acceptance of the conditions of this Approval within 10 business days of receipt.
11. MPS shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored, and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

12. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
13. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of *PCB bulk product waste* (i.e., exterior/interior window caulk, slate window sill caulk, and 1968 gym floor including shellac, mastic, and vapor barrier) shall be removed as described in the Notification.
 - b. The decontamination standard for building *porous surfaces* (i.e., concrete block and brick) shall be less than or equal to (\leq) 1 ppm.

- i) Sampling for *porous surfaces* shall be performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches.
 - ii) Verification samples collected from *porous surfaces* (i.e., window openings, interior corridor expansion joints, and the 1968 gymnasium concrete floor) shall be collected at the following frequency:
 - (1) Window openings- 1 sample every 10 linear feet (lf) for the for a total of 223 samples
 - (2) Interior corridor expansion joints- 1 sample every 10 linear feet (lf) for the for a total of 4 samples
 - (3) 1968 gymnasium concrete floor- In accordance with the provisions of 40 CFR 761 Subpart O
 - iii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
- c. The decontamination standard for building *non-porous surfaces* (i.e., steel lintels and exhaust vents that will remain) shall be less than or equal to (\leq) 1 $\mu\text{g}/100\text{ cm}^2$.
- i) Sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e., $\mu\text{g}/100\text{ cm}^2$) and in accordance with the frequency requirements at Subpart P, as described in the Notification.
 - ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
14. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:

- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
- b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
- c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

15. MPS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by MPS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
16. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
18. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

19. MPS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by MPS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.

20. MPS shall submit a final report in electronic and hard copy, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photographic documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests and bills of lading; and, copies of certificates of disposal or similar certifications issued by the disposer.
21. Required submittals shall be mailed to:
- Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
22. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1